

March 3, 2011

The Honorable Fred Upton
United States House of Representatives
2183 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Upton:

The American Farm Bureau Federation (AFBF) strongly supports the *Energy Tax Prevention Act of 2011* that you plan to introduce in the House of Representatives.

This bill would preempt regulation of greenhouse gases (GHG) by the Environmental Protection Agency (EPA) based on climate change considerations. The bill would not affect previously enacted or proposed rules regarding emissions from mobile sources.

The regulation of GHG does not fit within the current framework of the Clean Air Act. Unlike other regulated pollutants, where Clean Air Act thresholds are sufficient to regulate the largest emitters, GHG regulation at statutorily required thresholds holds the prospect of costly and burdensome permit requirements on farms, ranches, schools, hospitals and some large residences.

Farmers and ranchers will be particularly disadvantaged under such a regulatory scheme. The costs incurred by utilities, refiners and manufacturers to comply with GHG regulations will be passed along to their customers, including farmers and ranchers, increasing their fuel, fertilizer and energy costs. Unlike other types of businesses, farmers and ranchers have much less ability to pass along such costs. Additionally, under the thresholds set by the Clean Air Act, many farmers and ranchers would eventually be required to obtain costly and burdensome Title V operating permits or New Source Review/Prevention of Significant Deterioration permits. EPA itself estimates that more than 37,000 farms will be subject to Title V permits, at a cost of more than \$866 million.

While the costs of compliance may be high, the environmental benefits from EPA regulation are marginal at best. Unless and until an international agreement is reached, unilateral action by EPA will have little or no environmental impact. EPA Administrator Jackson has acknowledged this fact in testimony before Congress.

The president has stated that congressional action is a better way to address the issue than EPA regulation. We agree. The *Energy Tax Prevention Act* recognizes this as well and places the responsibility for regulating GHGs where it belongs – with Congress. We commend you for introducing this bill and look forward to working with you on it.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Stallman', followed by a long horizontal flourish.

Bob Stallman
President